

EXHIBIT A

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

JOHN BAKER, individually and on behalf of all others similarly situated,

Plaintiff,

v.

PALMCO ADMINISTRATION, LLC d/b/a INDRA ENERGY, a New York limited liability company, PALMCO POWER PA, LLC d/b/a INDRA ENERGY, a Pennsylvania limited liability company, and PALMCO ENERGY PA, LLC d/b/a INDRA ENERGY, a Pennsylvania limited liability company, PALMCO ENERGY MA, LLC d/b/a INDRA ENERGY, a Massachusetts limited liability company, PALMCO POWER MA, LLC d/b/a INDRA ENERGY, a Massachusetts limited liability company,

Defendants.

CIVIL ACTION NO. 1:20-cv-10284-DPW

AFFIDAVIT OF PENNY GUIDA

I, Penny Guida, hereby declare and state as follows:

1. My name is Penny Guida. I am of sound mind, lawful age and capable of making this Affidavit. The statements set forth in this Affidavit are true and correct to the best of my knowledge, information and belief, and are based upon my personal knowledge.

2. I am Vice President of Operations of PALMCO POWER PA, LLC.

3. PALMCO POWER PA, LLC is a company that operates in Pennsylvania not Massachusetts.

4. PALMCO POWER PA, LLC does not make telephone calls to consumers in Massachusetts. It did not call plaintiff John Baker.

5. PALMCO POWER PA, LLC has no customers in Massachusetts and does not attempt sales in Massachusetts.

6. PALMCO POWER PA, LLC does not have any employees in Massachusetts.

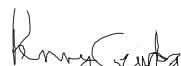
7. PALMCO POWER PA, LLC does not maintain any offices in Massachusetts.

8. PALMCO POWER PA, LLC does not attempt to promote business, solicit, telemarket and/or generate leads in Massachusetts and/or to Massachusetts addresses and/to Massachusetts telephone prefixes.

9. PALMCO POWER PA, LLC does not do business in Massachusetts.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed this 12th day of June, 2020, in the State of Ohio.



Penny Guida

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DISTRICT OF MASSACHUSETTS**

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Plaintiff,

v.

PALMCO ADMINISTRATION, LLC d/b/a INDRA ENERGY, a New York limited liability company, PALMCO POWER PA, LLC d/b/a INDRA ENERGY, a Pennsylvania limited liability company, and PALMCO ENERGY PA, LLC d/b/a INDRA ENERGY, a Pennsylvania limited liability company, PALMCO ENERGY MA, LLC d/b/a INDRA ENERGY, a Massachusetts limited liability company, PALMCO POWER MA, LLC d/b/a INDRA ENERGY, a Massachusetts limited liability company,

Defendants.

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2. I am Vice President of Operations of PALMCO ENERGY PA, LLC.

3. PALMCO ENERGY PA, LLC is a company that operates in Pennsylvania not Massachusetts.

4. PALMCO ENERGY PA, LLC does not make telephone calls to consumers in Massachusetts. It did not call plaintiff John Baker.

5. PALMCO ENERGY PA, LLC has no customers in Massachusetts and does not attempt sales in Massachusetts.

6. PALMCO ENERGY PA, LLC does not have any employees in Massachusetts.

7. PALMCO ENERGY PA, LLC does not maintain any offices in Massachusetts.

8. PALMCO ENERGY PA, LLC does not attempt to promote business, solicit, telemarket and/or generate leads in Massachusetts and/or to Massachusetts addresses and/to Massachusetts telephone prefixes.

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Defendants.

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2. I am Vice President of Operations of PALMCO ADMINISTRATION, LLC.
3. PALMCO ADMINISTRATION, LLC is an administrative services company. It is not an energy company that offers electricity and/or natural gas plans to consumers.
4. PALMCO ADMINISTRATION, LLC does not make telephone calls to consumers in Massachusetts. It did not call plaintiff John Baker.
5. PALMCO ADMINISTRATION, LLC does not have any employees in Massachusetts.

6. PALMCO ADMINISTRATION, LLC does not maintain any offices in Massachusetts.

7. PALMCO ADMINISTRATION, LLC does not do business in Massachusetts.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed this 12th day of June, 2020, in the State of Ohio.



Penny Guida